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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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BANNER & WITCOFF LTD.,
ATTORNEYS FOR MICROSOFT
1001 G STREET, N.W.
Suite 1100
WASHINGTON, DC 20001-4597

EXAMINER

BASHORE, WILLIAM L

ART UNIT PAPER NUMBER

2176

DATE MAILED: 12/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/223,774

Applicant(s)

LINDHORST ET AL.

Examiner

William L. Bashore

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 9/29/2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to communications: RCE and amendment filed 9/29/2005, to the original application filed 12/31/1998, IDS filed 4/2/2002, 8/27/2002, 7/6/2004, and 7/23/2004.
2. Claims 1-30 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Glaser, Foley, and Kirkner.
3. Claims 1-30 pending. Claims 1, 3, 8, 12, 14, 16, 18, 23, 27, 29 are independent claims.

Continued Examination Under 37 CFR 1.114

4. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 8/29/2005 and 9/29/2005 has been entered.

Claim Rejections - 35 USC § 112

5. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

6. Claims 1-30 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

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In regard to independent claims 1, 3, 8, 12, 14, 16, 18, 23, 27, 29, each of said claims recite a newly amended claim limitation regarding various combinations of an object, method, or property as not applets, or HTML. The examiner can find no recitation within Applicant's specification in specific support of this negative limitation. For purposes of examination, the instant rejections (under art) are maintained without including this limitation.

In regard to dependent claims 2, 4-7, 9-11, 13, 15, 17, 19-22, 24-26, 28, 30, said claims are rejected for fully incorporating the deficiencies of their respective base claims.

Claim Rejections - 35 USC § 103

7. **The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:**

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. **Claims 1-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Glaser, U.S. Patent No. 5,953,731 issued September 1999, in view of Foley et al. (hereinafter Foley), U.S. Patent No. 5,706,502 issued January 1998, and further in view of Kirkner, Bill et al. (hereinafter Kirkner), Running a Perfect Netscape Site, 1996 QUE Corporation, pages 524-535.**

In regard to independent claim 1, Glaser teaches a software development environment comprising an Applet control list of all forms and projects. Glaser also teaches inserting controls from one form or HTML page onto another HTML page (Glaser Abstract, column 7 lines 40-45; compare with claim 1 "*A computer readable*

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medium....said data structure comprising”, “a page object control on a first page for storing a list....associated with said first page”).

Glaser teaches a control from one form or HTML page inserted into another HTML page. A form window displaying applet “FORM1” is dragged into a “FORM2” drop location, resulting in a transfer of the applet object, or a reference to said object (with an added HTML reference), onto the new form or HTML page with all necessary code associated with said object. The second page can instantiate an applet, including the methods and properties associated with said applet, which is copied from the first page onto the second page (Abstract, column 6 lines 65-67, column 7 lines 1-9, 26-34; compare with claim 1 “*wherein a second page is capable of instantiating....with said first page into said second page.*”).

The limitation of “*a page object control*” would have been obvious to one of ordinary skill in the art at the time of the invention, in view of Glaser, because Glaser teaches a project window with an applet list of various applet forms (Glaser column 7 lines 42-45). Since it is known in the Web publishing art that applets are generally applied to forms and HTML pages, and Glaser teaches selecting and inserting a control from one form object or HTML page into another HTML page (Glaser Abstract, at middle), it would have been obvious to interpret said forms from said applet list as associated with HTML pages, providing the advantage of form objects that are customized to different pages.

Glaser does not specifically teach said page object control containing a list of related objects and methods/properties. However, Foley teaches a project manager allowing copying of various project methods into other files (Foley Abstract). Foley teaches icons referencing various applets with other related methods and properties, which can be imported and copied accordingly (Foley column 6 lines 37-54, 60-67, column 8 lines 43-48, column 10 lines 8-12, Figures 1-6) (compare with claim 1 “*a list of objects and associated methods and properties relating to said objects*”, and “*a list of objects*”). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Foley to Glaser, providing Glaser the benefit of listings of related items related to a control for organized analysis.

Glaser does not specifically teach instantiating/referencing object controls without transferring methods/properties associated with said control on the first page. However, Kirkner teaches HTML documents embedded with “include” statements. Kirkner’s example shows that if a user wanted to include the same content in all pages of a site (such as a button bar, etc.) an HTML embedded include statement calls an external file for instantiation of said button bar (Kirkner page 532-533 section “Including Simple Text files”). In this fashion, the button bar code is referenced by a page, instantiated along with said page (via browser execution), but the methods and properties of said button bar are not permanently transferred to said page. It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Kirkner to Glaser, providing Glaser the additional benefit of allowing references of its control objects to other pages without actually transferring the objects actual code, in order to decrease file sizes of many HTML pages on a site which may share the same objects (compare with claim 1 “*without transferring said at least one....to said referencing page.*”).

In regard to dependent claim 2, Glaser teaches dragging a control into a dropped position (settable by developer) in an HTML page (Glaser column 7 lines 14-20; compare with claim 2).

In regard to independent claim 3, Glaser does not specifically teach “*creating a first page capable of referencing a second page*”, and “*referencing said second page from said first page*”, as claimed. However, these limitations would have been obvious to one of ordinary skill in the art at the time of the invention, in view of Glaser, because Glaser teaches a project window with an applet list of various applet forms (Glaser column 7 lines 42-45). Since it is known in the Web publishing art that applets are generally applied to forms and HTML pages, and since Glaser teaches selecting and inserting a control from one form object or HTML page into another HTML page (Glaser Abstract, at middle), it would have been obvious to interpret that, initially, one page must reference another page containing the control to be copied, so that said control can be copied, providing Glaser the benefit of referencing pages for visually inspecting controls.

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Glaser teaches editing a page with a form editor (Glaser Abstract; compare with claim 3 “*editing said first page*”).

Glaser teaches a control from one form or HTML page inserted into another HTML page. A form window displaying applet “FORM1” is dragged into a “FORM2” drop location, resulting in a transfer of the applet object, or a reference to said object (with an added HTML reference), onto the new form or HTML page with all necessary code associated with said object. The second page can instantiate an applet, including the methods and properties associated with said applet, which is copied from the first page onto the second page (Abstract, column 6 lines 65-67, column 7 lines 1-9, 26-34; compare with claim 3 “*referencing at least one of a method or property....being associated with said second page*”).

Glaser teaches a data storage device for storing data (Glaser column 3 lines 66-67; compare with claim 3 “*storing said first page*”).

Glaser does not specifically teach said page object control containing a list of related objects. However, Foley teaches a project manager allowing copying of various project methods into other files (Foley Abstract). Foley teaches icons referencing various applets with other related methods and properties, which can be imported and copied accordingly (Foley column 6 lines 37-54, 60-67, column 8 lines 43-48, column 10 lines 8-12, Figures 1-6) (compare with claim 3 “*a list of objects*”). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Foley to Glaser, providing Glaser the benefit of listings of related items related to a control for organized analysis.

Glaser does not specifically teach instantiating/referencing object controls without transferring methods/properties associated with said control on the first page. However, Kirkner teaches HTML documents embedded with “include” statements. Kirkner’s example shows that if a user wanted to include the same content in all pages of a site (such as a button bar, etc.) an HTML embedded include statement calls an external file for instantiation of said button bar (Kirkner page 532-533 section “Including Simple Text files”). In this fashion, the button bar code is referenced by a page, instantiated along with said page (via browser execution), but the methods and properties of said button bar are not permanently transferred to said page. It would have been

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obvious to one of ordinary skill in the art at the time of the invention to apply Kirkner to Glaser, providing Glaser the additional benefit of allowing references of its control objects to other pages without actually transferring the objects actual code, in order to decrease file sizes of many HTML pages on a site which may share the same objects (compare with claim 3 “*without transferring said at least one....being associated with said second page.*”).

In regard to dependent claims 4, 5, Glaser teaches a development environment comprising an Applet control list of all forms and projects, and inserting controls from one form or HTML page into another HTML page with all necessary code associated with said object (Glaser Abstract, column 7 lines 40-45; compare with claims 4, 5.

In regard to dependent claims 6, 7, Glaser teaches dragging a control into a modifiable dropped position in an HTML page (Glaser column 7 lines 14-20; compare with claims 6, 7).

In regard to independent claim 8, Glaser teaches a development environment comprising an Applet control list of all forms and projects. Glaser also teaches inserting controls from one form or HTML page onto another HTML page (Glaser Abstract, column 7 lines 40-45; compare with claim 8 “*a first page object control on a first page*”, and “*a second page object control on a second page, said second page object control storing a list...*”).

Glaser teaches inserting controls from one form or HTML page onto another HTML page (Glaser Abstract; compare with claim 8 “*at least one method on said second page*”).

Glaser teaches a control from one form or HTML page inserted into another HTML page. A form window displaying applet “FORM1” is dragged into a “FORM2” drop location, resulting in a transfer of the applet object, or a reference to said object (with an added HTML reference), onto the new form or HTML page with all necessary code associated with said object. The second page can instantiate an applet, including the

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methods and properties associated with said applet, which is copied from the first page onto the second page (Abstract, column 6 lines 65-67, column 7 lines 1-9, 26-34; compare with claim 8, “*wherein said first page retrieves said second page object control.... to support script in said first page.*”).

The limitation of “*pages as objects*”, and “*page object*” would have been obvious to one of ordinary skill in the art at the time of the invention, in view of Glaser, because Glaser teaches a project window with an applet list of various applet forms (Glaser column 7 lines 42-45). Since it is known in the Web publishing art that applets are generally applied to forms and HTML pages, and Glaser teaches selecting and inserting a control from one form object or HTML page into another HTML page (Glaser Abstract, at middle), it would have been obvious to interpret said forms from said applet list as associated with HTML pages, providing the advantage of form objects that are customized to different pages.

Glaser does not specifically teach said page object control containing a list of related objects, methods and properties. However, Foley teaches a project manager allowing copying of various project methods into other files (Foley Abstract). Foley teaches icons referencing various applets with other related methods and properties, which can be imported and copied accordingly (Foley column 6 lines 37-54, 60-67, column 8 lines 43-48, column 10 lines 8-12, Figures 1-6) (compare with claim 8 “*...said list comprising at least one of a method and a property associated with said referenced page*”). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Foley to Glaser, providing Glaser the benefit of listings of related items related to a control for organized analysis.

Glaser does not specifically teach instantiating/referencing object controls without transferring methods/properties associated with said control on the first page. However, Kirkner teaches HTML documents embedded with “include” statements. Kirkner’s example shows that if a user wanted to include the same content in all pages of a site (such as a button bar, etc.) an HTML embedded include statement calls an external file for instantiation of said button bar (Kirkner page 532-533 section “Including Simple Text files”). In this fashion, the button bar code is referenced by a page, instantiated along with said page (via browser execution), but the methods and properties of said button bar are not permanently transferred to said page. It would have been

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obvious to one of ordinary skill in the art at the time of the invention to apply Kirkner to Glaser, providing Glaser the additional benefit of allowing references of its control objects to other pages without actually transferring the objects actual code, in order to decrease file sizes of many HTML pages on a site which may share the same objects (compare with claim 8 “*without transferring said at least one....to said second page.*”.

In regard to dependent claim 9, Glaser teaches dragging a control into a dropped position (settable by developer) in an HTML page (Glaser column 7 lines 14-20).

In regard to dependent claims 10-11, Glaser teaches implementation of its invention using a client/server embodiment (Glaser Figure 1, column 3 lines 43-46, 60-67 to column 4 lines 1-14).

In regard to independent claim 12, claim 13 incorporates substantially similar subject matter as claimed in claims 3, 5, and is rejected along the same rationale.

In regard to dependent claim 13, claim 13 incorporates substantially similar subject matter as claimed in claims 3, 5, and is rejected along the same rationale.

In regard to independent claim 14, claim 14 incorporates substantially similar subject matter as claimed in claim 1, and is rejected along the same rationale.

In regard to dependent claim 15, Glaser teaches dragging a control into a dropped position (settable by developer) in an HTML page (Glaser column 7 lines 14-20).

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In regard to independent claim 16, claim 16 incorporates substantially similar subject matter as claimed in claim 1, and in further view of the following, is rejected along the same rationale.

Although Glaser does not specifically disclose “scanning” a first page, nevertheless, Glaser teaches that all objects on a document are listed in the same document’s Project Manager box object (Glaser Figures 6B-6D), providing reasonable suggestion to the skilled artisan that a form of scanning takes place in order to keep the object listing current. It would have been obvious to one of ordinary skill in the art at the time of the invention to interpret Glaser in this fashion, providing the benefit of a current up to date listing of available document object controls.

In regard to claims 17-30, claims 17-30 incorporate substantially similar subject matter as claimed in claims 1-15, and are rejected along the same rationale.

Response to Arguments

9. Applicant's arguments filed 9/29/2005 have been fully and carefully considered but they are not persuasive.

Applicant’s arguments are substantially directed to amended subject matter. However, at the present time, the examiner cannot find any recitation in Applicant’s specification in specific support of said amended subject matter.

Conclusion

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to William L. Bashore whose telephone number is (571) 272-4088. The examiner can normally be reached on 11:30am - 8:00pm EST.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on (571) 272-4136. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

11. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

William L. Bashore
WILLIAM BASHORE
PRIMARY EXAMINER

December 15, 2005